AN

ESSAY

ON THE

LIBERTY

OF THE

PRESS:

Chiefly as it reſpects

PERSONAL SLANDER.

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AN

ESSAY, &c.

THE Liberty of the Preſs having of late been the Subject of much Converſation, and many *crude Things* having been delivered out in Defence, as well as in Derogation, of that valuable Branch of Liberty, it becomes the Duty of every *Friend* to the *Public* to conſider ſeriouſly,

I. How far the Liberty of the Preſs is connected with the Liberty of the Subject?

II. Whether the Complaints of the Abuſe of the Preſs be well grounded? And,

III. Whether the *Peace* and *Security*, which any *Individuals* may *derive*, from a new *Reſtraint* of the *Preſs*, will compenſate for the *Miſchiefs* which may *ariſe* from ſuch *Reſtraint*?

The Subject indeed is much more copious; but the Deſign of this Eſſay is not ſo much to enter minutely into the Subject, as to direct the Attention of the Public to ſuch Parts of it, as are moſt intereſting, and better diſcuſſed by cool Reaſoning, than by popular Clamour.

I. Liberty in general is a *Freedom* from all, but *natural, Reſtraints.* This being inconſiſtent with Society, it is improved into a more limited Liberty, the Liberty of the Subject, which may be defined a Freedom from all but legal Reſtraints. The Perfection of ſocial Liberty is the Power of aſſerting, by Repreſentatives, thoſe natural Rights, which were reſerved in the original Compact, which eſtabliſhed Society; and this is *Britiſh* Liberty.

The

The Art of Printing was derived, though late, from the Uſe of Letters, and the Invention of Letters was originally founded in the Uſe of Speech. Man, being intended for Society, was created communicative. The Gift of Speech, for ſome Time, gave Vent to this natural Diſpoſition, 'till by the Increaſe of Men the Faculty became too confined for the Purpoſes of ſocial Life.

Signs were invented for a diſtant Intercourſe. In the Times of Simplicity, theſe Signs were the bare Images of Things. This proved a tedious Method of writing, or correſponding. Many Things were not expreſſible. Action and Paſſion wanted their Signs, which infinitely perplexed the communicative Turn of Lovers, Scholars, and Politicians.

Neceſſity ſoon improved the Invention. Letters became the Signs of Words, Thoughts and Things; and though in many Caſes they have ſince degenerated, and are applied to ſignify nothing but

Words, yet it was manifeſtly the Deſign of the original Inventor, that, by general Conſent, Letters ſhould expreſs Words, Thoughts and Things.

For many Ages they were applied to one or all of theſe Uſes; and Thouſands of Amanuenſes maintained themſelves more reputably, than thouſands of Authors have done in modern Times.

At length, a Variety of Events having opened a Communication between the ſeveral known Parts of the Globe, Writing became too ſlow a Vehicle for the Benevolence of Mankind, much about the Time when Arrows and Swords were not expeditious enough for their Fury.

Both Diſpoſitions were gratified by Accidents, and Types and Gunpowder were received in all civilized Countries, as tending to the Ornament and the Defence of civil Communities.

Learning

Learning ſoon flouriſhed; Superſtition and Dulneſs were diſgraced; Liberty was the Offſpring of Learning and Truth; and by the quick Circulation and Colliſion of the Products of different Minds, Men were animated and enlightened. They ſtudied their Rights, and in ſome few Countries aſſerted and enjoyed them.

But the ſame Kind of Men, who were cramped in their Genius for Deſtruction, 'till Gunpowder facilitated the Work, availed themſelves likewiſe of the noble ineſtimable Art of Printing, by converting the Preſs into a new miſſive Weapon. The Miſchief was felt and lamented, but has not, in any Chriſtian State, been totally ſuppreſſed.

The apparent Reaſons for this Toleration of ſo great an Evil, in the moſt arbitrary Countries, are, 1. The *Benefits* of the Preſs, which *outweigh* the *Miſchiefs* of it; and, 2. The extreme Difficulty of totally depriving Men of a *Liberty, derived* from the *natural Right*, and *Faculty*, of *Speech*.

Thus the *Liberty* of the *Preſs* is *connected* with natural *Liberty*.

The Liberty of the Subject being now generally admitted to be founded in the Reſervations made in that Compact, which originally cemented Society, ſuppoſeth the Uſe of Speech.

The Men who firſt gave up their natural Rights for the Benefits of Society, muſt have ſtickled hard for the Faculty, which promoted and facilitated the Conjunction; and moſt certainly, they never entered into a Compact, that, if at any Time the Gift of Speech ſhould be groſly abuſed by any Number of Men, a whole Nation would ſubmit to be deprived of the Uſe of it.

Whatever they cannot be ſuppoſed to have given up remains a natural Right, and is a Part of thoſe Rights, which conſtitute the Liberty of the Subject.

Britiſh Liberty conſiſts in the *Power* of *aſſerting*, by *Repreſentatives*, thoſe *natural*

tural Rights which were reſerved as the *Liberty* of the *Subject*, at the firſt Inſtitution of Society. It would be an *Act* of *Sedition*, as well as an *Abſurdity*, to inſinuate that this *Power* is ever *likely* to be perverted, to the *Deſtruction* of any natural *Right* thus reſerved: *So cloſe is the Alliance between the Liberty of the Preſs*, and the *Liberty of a* Britiſh *Subject*.

We may judge, from this View of the Caſe, how greatly thoſe learned Men are miſtaken, who *deny the conſtitutional Exiſtence of the Liberty of the Preſs*, becauſe the Preſs is not coeval with *Magna Charta*. The Uſe and Liberty of Speech were antecedent to that great Charter of *Britiſh* Liberties; and Printing is only a more extenſive and improved Kind of Speech.

It may indeed be objected, that the Tongue will admit of Reſtraints, as well as the Hands; and that, for the Peace of Society, ſuch Reſtraints muſt be ſuppoſed to have been originally ſubmitted to.

This

This is undoubtedly true. It is the Duty, and in the Power, of Legiſlators, to reſtrain every impious, or immoral Abuſe of Speech, tho' it be not in their Power abſolutely to aboliſh the Uſe of Speech. The principal End of every Legiſlature is the public Good. This is the ſupreme Law; for it is for the Sake of the Public that Legiſlatures exiſt.

The great Offences which either the Tongue, or the Pen, or the Preſs may commit, and which fall more immediately under the Cognizance of Government, are Blaſphemy, Perjury, and Treaſon. Theſe are Offences againſt the whole Community; therefore the Puniſhment of them is the moſt unexceptionable Act of Power, and muſt have been conſented to by every Man, that ever enjoyed the Benefit of Society. It is the Puniſhment of Licentiouſneſs, not of Liberty; and Liberty was never yet affected by any due Puniſhment inflicted upon the Licentious.

Perſonal Slander is a *ſubordinate Evil.* When it concerns a Member of the Legiſlature,

lature, his Character is fortified by Privileges, which, as they are eſtabliſhed for the Honour of the Legiſlature, have a Reſpect to the Good of the whole. In other Caſes, perſonal Slander affects only one Member of the Community; and tho' the Miſchiefs of it may, by his particular Situation, extend beyond himſelf, yet it has ſeldom been thought a Matter worthy of the Cognizance of the Whole, farther than by the Proviſion of a general Law for his Redreſs.

It is the Wiſdom of our Laws in particular, to remind the Party aggrieved, that his Injury is only Perſonal; for the Law confines the Reparation to the Damage he has ſuſtained. This Damage may be magnify'd by his public Character, but it is only magnified to himſelf; for the Reparation is made to himſelf, not to the Public.

When perſonal Slander ripens into a judicial Accuſation, it then, and not till then, becomes a public Concern; and the Prevaricator,

ricator, or the falſe Accuſer, becomes a Debtor to the Public.

Men, who do not rightly diſtinguiſh this, may, from a *vain Opinion of their public Importance, aſſume the Place of the Public,* and *excite the Attention of a whole Nation to a mere perſonal Slander.* But Bodies of Men are as acute in their Judgments, as Individuals. They will immediately ſee, that the Slander is only perſonal, and, therefore, will either contemptuouſly forbear to examine it; *or they will ſuſpect it to be true, when Perſons eminent in Office, or in Abilities, are weak enough to ſubject the Merits of the Slander to a ſolemn Enquiry.*

But perſonal Slander is a vague Term. *Men, who are tender of an infirm Reputation,* will apply it to general Words and Sentiments, which may prove hurtful to their Characters in particular. In this View the Liberty of the Preſs wou'd indeed be a public Nuſance; and *Tacitus*'s Account of *Sejanus* wou'd deſerve to be ſuppreſſed, as a Libel againſt ſome Men, whilſt Books of

of Religion and Morality underwent the ſame Fate, as too poignant for the Delicacy of others.

We will do them the Juſtice to limit their Idea of perſonal Slander, and ſuppoſe them to define it, any direct injurious Charge upon themſelves. If the Charge be injurious, and merely perſonal, they have a Right to perſonal Redreſs. Even if the Charge be true, the Law will in many Caſes relieve them; *tho' the Man who ſaves a Family, or only a ſingle Perſon, from Ruin, by a true Charge againſt another, would be pretty ſecure in the Verdict of a* Britiſh *Jury.*

But let us ſuppoſe a higher Caſe, and one which it is hoped will never happen. *Suppoſe a Set of Men ſhould inſinuate themſelves into Power, who are known to be Enemies to the Political Conſtitution. Suppoſe them to manifeſt their Principles in the Courſe of their Meaſures, whilſt they deny them, at proper Seaſons, by the moſt ſolemn Profeſſions. Suppoſe the Characters of theſe Men, and the Situation of the Public, to be ſuch,*

ſuch, that no Friend to his Country can act in Concert with them, and preſerve his Integrity; will it be called *perſonal Slander*, or will any *honeſt Man* judge it *criminal*, to *expoſe* the *political Characters* and *Views* of ſuch *Men?* Will it be an *Abuſe* of the Liberty of the *Preſs*, to open the Eyes of the *Public*, or to *rouze* its *Lethargic Friends?* Will it not rather be conſidered, by all diſintereſted Men, as the original Uſe and Intent of that Liberty?

The Party aggrieved may poſſibly find Redreſs in Law, becauſe the Law is general, and could not except a particular Caſe of this Kind, without appearing to licenſe more injurious Slanders; but the Liberty of the Preſs cannot be affected by ſuch a Caſe, whilſt the Liberty of the Subject ſubſiſts. *And if the Perſon who undertakes this heroic Taſk ſhould ſuffer, by a legal Proſecution, he will be conſidered, by every Patriot, as a Martyr to the Cauſe of his Country.*

But here another Queſtion ariſes: What are thoſe *Principles* which *characterize* an

Enemy

Enemy to the *political Conſtitution?* The Anſwer is, Thoſe which are *inconſiſtent* with the *Exiſtence* of that *Conſtitution.* Among us, for Inſtance, the *Principles* which ſtrike at the *Vitals* of our *glorious Revolution,* which were *active* in *oppoſing* the *Acceſſion* of the preſent Royal Family to the Throne of theſe Kingdoms, and which have been ever ſince uniformly maintained by ſome Men, in ſpite of all the Experience they have had, that the Intereſts of the Proteſtant Eſtabliſhment are inſeparable from the true Intereſts of this Country.

Let ſuch Men continue to entertain their Principles in private, for poſſibly the Diſeaſe of their Minds may be incurable. But let them not attempt to join together two Things ſo inconſiſtent in Nature, as their *Principles* and the *public Service* of their *Country.* They might be good Subjects, and, perhaps, tolerable Stateſmen, in *Ruſſia* or in *Spain*; but in this *Land of Liberty* they will, and muſt, be *Turbulent*, as *Magiſtrates*, and *Deſtructive*, as *Politicians.*

Volumes

Volumes might be quoted, to ſhew that this is not the ſingular Opinion of the Writer of theſe Pages; but one Quotation will ſuffice, to eſtabliſh by Authority what is ſo well founded in Reaſon. The Reverend Doctor *Squire*, in his *Eſſay on the Balance of Civil Power*, preſents us with the following ſtrong and true Declaration.

" We have the moſt rational Grounds
" to reſt aſſured, that our own eſſential Li-
" berties, his Majeſty's juſt Prerogatives,
" and the ancient Conſtitution of the King-
" dom, will be preſerved pure and inviolate,
" whilſt the Adminiſtration of public Af-
" fairs, under the Sovereign, continues to
" be entruſted in the Hands of the WHIGS:
" But whenever, thro' ſome fatal Coinci-
" dence of Circumſtances, either the
" TORIES or the Republicans ſhall get the
" Superiority, and become Maſters of the
" *Reins of Government*, then, indeed, it
" will be Time to look about us, to ring
" the *Alarm-Bell*, to put our ſelves upon
" our beſt Guard, and to watch every Mo-
" tion

" tion of the deſperate Enemy." So far Doctor *Squire.*

Now the beſt Method, in ſuch a Caſe, of ringing the *Alarm-Bell*, is to *exerciſe* the Liberty of the *Preſs*. The *Exerciſe* of *this Liberty*, amidſt all the Perſecutions it laboured under, had the good Effect of putting the Nation upon their *Guard*, in the Reign of King *Charles* II. It was by the Exerciſe of the ſame Liberty, that every Motion of the deſperate Enemy was proclaimed and oppoſed, in the Reign of King *James* II. It was by Means of the Truths conveyed by the Preſs, that the Miniſtry of the four laſt Years of Queen *Anne* became odious to the Public, and that his late Majeſty eſcaped falling into the Hands of the *deſperate Enemy*; of Perſons, who would have deprived that Prince of the Service of his moſt faithful Friends, and, by Degrees, have betrayed him and the Conſtitution, to an Enemy, more terrible to *Great-Britain* and *Ireland*, than Sword or Peſtilence.

The Reader will obſerve that the Abuſe of this ineſtimable Liberty is not here defended. The *Alarm Bell*, or the Slander, if it muſt be ſo called, is *directed* to the *deſperate Enemy*, *only*, when he *intrudes* into *Power*. In his *private Life* good Men will not *moleſt him*, and *Politicians need not*. Let him enjoy the Gloomineſs of his own Mind; let him even partake in the Sunſhine of Liberty, and himſelf experience, how impartial and univerſal the Influence of it is. *But if ever he preſumes to invade the Conſtitution of his Country by arrogating Power, then, indeed, it will be Time to look about us*, and to diſplay the *Uſe and Benefits of the Liberty of the Preſs, by ayplying it to the Defence of the Liberty of the Subject.*

If he *interprets* this to be *perſonal Slander*, let him take the *Redreſs* which the Law may give him; provided the ALARM-BELL be but *rung*, and the *Nation convinced* of *Truths* of the *higheſt Importance*, which could not be divulged without *affecting him perſonally*.

It

It may be neceſſary to re-capitulate, before the ſecond Enquiry is conſidered. The *Uſe of Speech* is a natural Right, which muſt have been reſerved, when Men gave up their natural Rights for the Benefit of Society. Printing is a more extenſive and improved Kind of Speech: As ſuch it *cannot*, without a *Violation* of the natural Rights ſo reſerved, be *ſubjected* to any *Reſtraints*, but ſuch as are fitly laid upon Speech. Blaſphemy, Perjury, Treaſon and Perſonal Slander, are the principal Offences which demand a Reſtraint. The three firſt are Offences againſt the whole Community. The laſt, being only an Offence *againſt Individuals*, if the Puniſhment of it be carried, beyond the *Damage* ſuſtained by the Perſons aggrieved, the Liberty of the Preſs may be *violated in ſome Inſtances*, in which that *Liberty* is of the utmoſt Conſequence to the *Intereſts* of the *Family* on the Throne, and to the Liberty of *this Country* in *general*.

II. The ſecond Enquiry is, Whether the Complaints of the Abuſe of the Preſs be well grounded?

It is extremely material to conſider this; for then we ſhall judge, whether the Complaints be Public or Perſonal: And, if the Laws in Being are inſufficient to remove them, how far any new Law may be expected to reach. Whether only to Blaſphemy and Treaſon, which may appear to be its proper Objects; or to Perſonal Slander, which is not ſo eaſily reſtrained by any other Methods, than thoſe now ſubſiſting, and which may appear to be a leſs miſchievous, and a leſs prevailing, Offence.

The two Writers chiefly complain'd of are two, who may be very fitly named together, without doing any Injuſtice to either of them, the late Lord *Bolingbroke*, and the Writer of the *London Evening Poſt*. It is not a little mortifying to an Advocate for the Liberty of the Preſs, to confeſs the Abuſes

Abuſes of it, committed by both thoſe Writers.

The former, indeed, hid himſelf in the Grave, before he ventured to infect the Air of this Country with the moſt peſtilential of his Writings.

In order to defeat the Ends of Providence, in ſummoning him from a State to which his Vices and his Parts were a Diſgrace, he left his poſthumous Works to infatuate the Nation which he had not the Pleaſure to ruin.

After all his Tergiverſation, his Profeſſions here, and his contrary Practices Abroad, it might ſeem neceſſary to him to juſtify the Conſiſtency of his Conduct, by ſhewing that he never acted upon one right Principle; or, perhaps, his Bitterneſs againſt Religion might ariſe from the admirable Connection between our political and religious Eſtabliſhment. He might obſerve the People attached to their King for the Sake of their Religion, and to weaken this Tie, he might undertake the fooliſh as well as impious Taſk, of undermining all Religion.

However, thoſe poſthumous Works of his have been publiſhed triumphantly; and thoſe, whom it concerns, have given a ſignal Proof of their Tenderneſs for Liberty, by not ſuppreſſing a Book, written with a View to pull up the Root of all human Society; and by moleſting none of the Perſons concerned in the Publication, tho' the evil Tendency of the Book was ſo well known, that it was loudly proclaimed, long before the Expectation of Libertines was gratified.

It would be a ſtill more undoubted Proof of this tolerating Spirit, if the Reviſer of one Part of the Book ſhould appear to be in an Office, cloſely connected with Religion and Morals, and, in ſome Degree, connected with the Religion and Morals of Poſterity.

There can be no Reaſon to apprehend Dangers to the Liberty of the Preſs, whilſt this uncommon Licentiouſneſs paſſes with Impunity, and whilſt it is thought the Intereſt of the Public, that ſo atrocious an Offence, againſt the Public, ſhould be rather

felt

felt and complained of, than puniſhed upon the Perſons of the Offenders.

The Writer of the *London Evening Poſt* would ſcarce deſerve a Mention, if the Complaints of him were not very general. He is leſs miſchievous, by being more dull, but has the Advantage of intermixing his Treaſons with the great Object of every Man's Attention, the News of the Day.

Indeed if every Member of the Community were to conſider the Benefits of the Community to himſelf, the bad Deſigns of ſuch a Writer, however miſerably executed, would appear to demand Attention.

It would be not a little unpleaſant and alarming to a Man that inhabits a Houſe, of which he admires the Structure, enjoys the Shelter, and in many Inſtances daily perceives the Conveniences, to read a Paper circulated through the Kingdom, inculcating the Expediency of demoliſhing the Houſe, with a Promiſe of better Shelter, and more Accommodation for the Proprietor of it, in a Priſon. Surely the Caſe becomes much

more alarming, when applied to our national Shelter, the *Britiſh* Conſtitution.

Yet ſuch is the Lenity of our Rulers, that 'till very lately, this malignant, though contemptible, Writer has eſcaped Animadverſion. The Friends to the Royal Family, and to the true Intereſts of the Public, have trembled to ſee the Reigns of the two beſt Princes that ever bore the *Britiſh* Scepter, treated as national Calamities, to read Jacobitiſm extolled as public Spirit, and the Principles of the WHIGS, the only CONSTITUTIONAL Principles, ſtigmatized as the Reſult of Atheiſm, the Invention of Profligates, and the miſcreant Spirit of Traitors.

The End of Government being Protection, every Individual, who is aſperſed from this Sink of Slander, knows where to apply for Redreſs. But the public Reprehenſion this Writer calls for, muſt be an Inſtance of Self-protection in the Government, which Subjects cannot preſcribe, therefore they muſt wait till the proper Seaſon when their Governors ſhall think it expedient to ſhew, that an Offence againſt the Whole is more penal,

penal, than a perſonal Offence againſt an Individual.

For there are ſometimes Expediencies, of which it is impoſſible for private Men to judge; and they would advance very far towards the Evil they complain of, if, thro' an intemperate Zeal, they ſhould take upon them to aſſert, that there are other than public Reaſons, for not vindicating the Honour of the Family on the Throne, of the whole Legiſlature, and of the Conſtitution; or, that any Set of Men are more anxious about *little Blemiſhes* diſcerned in their political Characters, than about the Reputation of the King and Government, and the Opinion, which foreign Powers may entertain, of a Body politic, whoſe Members are perpetually defiling and maiming the Head. It is ſufficient for the Complainants that the Writer in Queſtion has at length provoked public Reſentment, after ſome of the worſt of his Libels had paſſed unnoticed, and uncenſured.

He has likewiſe diſtinguiſhed himſelf as a perſonal Slanderer; but ſurely this is not a Matter

a Matter of public Complaint. If the Perſon ſlandered be a Member of the Legiſlature, he knows his Privileges; if he be a private Man, the Law is at Hand to do him Juſtice. If the Slander againſt a private Man be guarded by Innuendoes, his Caſe may be hard; but the Caſe of innocent Writers would be harder, if Innuendoes ſhould be conſtrued into Defamation. They may be conſtrued into Treaſon and Sedition, by the Connexion and manifeſt Tendency of a Book, though this is ſeldom done. But Treaſon and Sedition are Outrages, which it is the Intereſt of the Public to check; Perſonal Slander is an Offence, which it is only the Concern of Individuals to reſent.

From this fair and true Repreſentation of the prevailing Abuſes of the Preſs, the Reader will judge, that the Complaints are rather Public than Perſonal, and as ſuch, it may be preſumed, that the Remedy will extend no farther than the Security of the Public.

If indeed *bad Men were in Power*, or had Power *ſufficient*, they would lay the Preſs under a general *Interdict*, and from this bold Meaſure would advance to another, which has been practiſed in a neighbouring Kingdom, an Edict to forbid Subjects the Pleaſure of diſcourſing upon public Affairs. But thoſe are Times which the *Britiſh* Dominions will never experience, whilſt the Revolution continues the Baſis of our Government, and whilſt the Throne is filled by his preſent Majeſty, and his illuſtrious Deſcendants.

Under the *Adminiſtration* of *bad Men* indeed, Perſonal Slander would be the *ſoreſt* of all Evils. The Public might perhaps be indulged in the Amuſements of Blaſphemy and Treaſon, provided the proper *Objects* of *Perſonal Reproach* continued *unmoleſted*; or the Blaſphemy and Treaſon would be only reſented at a Time, when it might be expedient, to intimidate Printers and Publiſhers, leſt their Inſolence ſhould riſe to the

the Cruelty of creating *Jealouſies* againſt *particular Men.*

A ſimple By-ſtander might, in ſuch a Caſe, be forward enough to expoſtulate with thoſe *delicate Characters*, and fooliſhly tell them, " Gentlemen, what have you " to apprehend? If the *Slander* you would " obviate be *falſe*, of what Uſe is your " Greatneſs, and how *precarious* will it " prove, if in the leaſt endangered by a " *falſe Accuſation?* If it be *true*, is the " *Fountain* of Intelligence to be *ſhut up*, " becauſe your *peculiar Danger is*, that it " may now and then ſend forth an affect- " ing Charge againſt you?"

The Anſwer of thoſe Gentlemen would be a moſt inverted prepoſterous Maxim, but very well ſuited to ſuch a Syſtem of Policy, as bad Men may be ſuppoſed to adopt, that the Good of the Whole muſt give Way to the Peace and Security of Individuals.

This Anſwer will become the Subject of the third Enquiry. Before it falls under Conſideration,

Conſideration, it may not be impertinent to obſerve, how differently a licentious Abuſe of the Preſs may operate at different Junctures.

In ſober religious Times, when Men are rather deeply ſenſible of their religious Duties, than clamorous about their religious Profeſſions, the pretended Philoſophy of Lord *Bolingbroke* will meet with a deſerved Indignation and Contempt. The many will unite againſt their common Enemy. The Book will be conſidered as a Libel againſt the Public; and all the Diſciples and Creatures of ſo contagious a Writer will become infamous, as his Allies and Confederates, in the wicked Deſign, of defying the Creator of the World, and diſſolving the Tie of Union, between an excellent Prince and a loyal People.

In diſſolute Times, prudent Men will be cautious and reſerved, in ſpeaking their Sentiments, even of this profligate Book, leſt they ſhould incur the Diſpleaſure of the intimate Friends and Proſelytes of the Author.

thor. The few may write and complain againſt it, but their Writings and Complaints will be neglected, perhaps reſented, by thoſe who cannot condemn the Work, without ſome Degree of Self-Condemnation, for the Confidence which heretofore ſubſiſted betwixt Them and the impious Author.

In Times when a great Majority of the Nation have the *Virtue* to *profeſs*, and *exerciſe*, *a Zeal* for the *Cauſe* of *Liberty*, and of the Proteſtant Eſtabliſhment, *Treaſon* and *Jacobitiſm* will crawl about only in Manuſcript, and be communicated with a trembling Hand, and the moſt ſolemn Injunctions of Secrecy, from one of the infamous Tribe to another; for they will dread the Vengeance of the Many, of the Patriots, who are watchful for the Peace and Security of the State.

On the other Hand, in Times when Men are as licentious in their political, as in their religious, Conduct; when true Patriotiſm is become ridiculous, and a Coali-

tion

tion of WHIG and TORY, that is, of Light and Darkneſs, is thought by ſome Men more natural, than a rigid Perſeverance in the Principles of Liberty, which only can ſecure the Throne, which is founded upon them; in ſuch Times Treaſon and Jacobitiſm will break out of their dark Corners, in which they had been lurking. They will venture, upon ſtamped Paper, to take the Tour of the two Kingdoms, and ſcatter their diabolical Seed, for the Harveſt of Miſchief and Confuſion.

In Times when MEN of the beſt HEARTS, and of the ſoundeſt Abilities, are called forth into the *Service* of the *Public*, Men, who are reſolute and aſſiduous in promoting the *public Good*, rather than their *private Emolument*, perſonal Slander will dwindle into the mere Impotence of Invective. It will become Matter of Amuſement to Characters ſo much ſuperior to it, and the Liberty, of which it is an Abuſe, will be as ſacred and inviolate in their Hands, as if the Preſs was employed in tranſmitting their due Praiſes to Poſterity.

In

In Times, on the other Hand, when *narrow-minded Men, born and educated* to Prejudices which they dare not avow, ſneak into Power and Confidence, then perſonal Slander will come to be conſidered as an important Offence. The whole Community will be called upon to avenge it; the Preſs will be intimidated; the Conſtitution will be ſaid to be wounded, the Moment ſuch Men are only ſtung; and heavy Penalties will be deviſed, and ſevere Proſecutions threatned, againſt the Violator of the public Peace, that is, the *Writer*, who *preſumes* to lay down certain *true Premiſſes*, and to draw from them *juſt Concluſions*.

And why all this Agitation, and Threatning, and Confuſion of Face, but becauſe it is not indifferent to ſuch Men, nor indeed is it to the Public, whether they are In or Out of Power? Their *Characters* require *Shelter* and *Support*. They are not fortified by the *Murus aheneus*. It demands more Care and Anxiety to ſupport a tottering Superſtructure, upon a weak Foundation,

tion, than a ſolid Edifice, of which the ſeveral Parts are well diſpoſed and connected, of which the Whole is uniform, and the Foundation unſhaken.

But Compariſons are invidious. We will leave them, and enter upon the third Inquiry:

III. Whether the Peace and Security, which Individuals may derive from a new Reſtraint of the Preſs, will compenſate for the Miſchiefs, which may ariſe from ſuch Reſtraint?

In order to diſcuſs this, it may be worth conſidering previouſly, what Sort of Peace and Security ſuch Men may derive from a new Reſtraint of the Preſs? This Conſideration will anſwer the Inquiry, even without diſputing their favourite Principle, that they are as important to the Public, as they wiſh to be thought.

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Channel, will only have the Effect of producing a more copious Eruption in another. Men who dare not *print*, will *write*; and tho' their Writings will not be circulated with the Velocity of fugitive Pieces from the Preſs, they will make a much *deeper*, and a more *laſting*, *Impreſſion*.

Every Hand, through which they paſs, will tranſcribe them, for the Pleaſure of poſſeſſing, and the Power of communicating, a *Secret*. If they paſs thro' ingenious Hands, they will have the Chance of being improv'd and embelliſhed. If the Object of them be an *Unpopular Character*, every Sentiment of the Writer will acquire ſome additional Force, from the Prejudices of every Reader.

Men will be more diſpoſed to talk over what is ſo cautiouſly circulated, than Things which become too familiar, by being in the Hands of the Multitude. In the Courſe of ſuch Converſations, Circumſtances will ariſe, which will inflame the Odium of the Unpopular Men. Their Birth, Education, Connections,

Connections, Conſanguinities, Meaſures, Perſonal Foibles, and even their Aſpect, their Viſage, if at all unpromiſing, will confirm the Diſlike, and ripen it into Clamour and Execration.

Where then is the Peace and Security, which Individuals can hope for from a new Reſtraint of the Preſs? If it be urged, that the ſame may be alledged in the Caſe of Treaſon and Blaſphemy, the Objector will find himſelf miſtaken, when he conſiders that Treaſon and Blaſphemy are not ſo ſecurely handed about in Manuſcript. They may now and then ſtray into the Hands of one, who might remember his Obligation to detect, or to deſtroy, them. But when the *Meaſures*, or the *Power*, of any Individuals, are become alarming to the Public, a whole Nation muſt be ſtruck dumb, or ſome Things will be ſaid, which may prove the Uſe of Speech to be as great a Nuſance to ſome Men, as the Liberty of the Preſs.

But let it be conſidered, at what Expence this imaginary Peace and Security of Individuals muſt be purchaſed?

Firſt, At the Expence of one of thoſe natural Rights, which were reſerved at the Inſtitution of civil Society, the Right of communicating our Thoughts, provided they be neither treaſonable nor blaſphemous. It is certain that all Men do not underſtand their natural and ſocial Rights clearly enough to ſhew their Foundation and Uſe; but let any one, even the leaſt, of thoſe Rights be invaded, and the Invaſion will be immediately underſtood; whether it be from Inſtinct, or from what we call common Senſe, or from the laudable Pride of Liberty, he who has the leaſt to hazard will become clamorous, as ſoon as he apprehends an Encroachment, upon the leaſt Part of that little he has.

And ſhall a general Clamour, which may be founded in good Senſe and a Spirit of Liberty, be excited for the Sake of any Individual? True Policy will anſwer in the negative, and our preſent Governors will with one Voice admit, that ſuch a Meaſure is not neceſſary; and that tho' it ſhou'd appear, by the Eloquence of the complaining Individuals,

viduals, to be neceſſary, yet, on Public Accounts, it would not be expedient.

In the ſecond Place, *This imaginary Peace and Security of Individuals*, muſt be purchaſed at the Expence of Learning, of Improvements in Science, and of Diſcoveries in Nature and Religion. How immenſe a Price this is, may be beſt judged by thoſe, who know how to eſtimate Learning and uſeful Diſcoveries. It is too much to ſuppoſe, that any Set of Men, in a civilized Country, can be ſuch Barbarians, as to value their private Peace at a higher Rate, than any Inſtrument of general Knowledge. Perhaps it might not be exaggerating to affirm, that a thouſand innocent Errors were better divulged, than one important Truth ſuppreſſed.

Indeed no ſuch Men are here ſuppoſed; for no more is meant than to limit the Complaints of the Abuſes of the Preſs to their proper Objects. It is evident, that if they tranſgreſs thoſe Limits, they ceaſe to be the Complaints of public Spirit, and

degenerate into the unmanly Peeviſhneſs of perſonal Reſentment.

Learning owes its flouriſhing State to the Preſs, and as any Branch of Learning may chance to be connected with ſome Scheme of Policy, the Reſtraints of a Licenſe or Imprimatur would cramp and fetter ingenious Minds to ſuch a Degree, that they would compoſe themſelves to Reſt, and leave learned and curious Diſquiſitions for ſuch Puerilities in Literature as cannot offend.

The Conſequence might be favourable enough to TORY Principles, to *Paſſive-Obedience and Non-reſiſtance*; therefore the *Grand Signor* prohibits the Uſe of the Preſs, and therefore the Kings of *France* and *Spain*, and other arbitrary Potentates, ſuffer nothing to be printed without Permiſſion. But in a Country of Liberty, Learning will ſoon be impatient of unnatural Reſtraints, and retire to thoſe Climates, to which the Reſtraint may be more natural.

The third Article in the Price of this imaginary Purchaſe to Individuals, is that

for

for which our Fore-fathers ſtruggled, at the Hazard, and ſometimes at the Expence, of their Lives and Fortunes, THE LIBERTY OF THIS COUNTRY.

Without the free Uſe of the Preſs, any Characters or Deſigns, unfavourable to the Royal Family, or to Liberty, cannot be publickly known, till it is too late to oppoſe them. Hence the greateſt Enemies to the Preſs are thoſe Characters, which are notorious for entertaining thoſe Deſigns.

Men of true public Spirit, when advanced to Power, will be Friends to the Birth-rights of their Countrymen; and, as ſuch, will have Nothing to fear from the Preſs. They will rather rejoice in it, as the Channel by which ſpeculative Men may convey an *uſeful Hint*, which it might appear preſumptuous to offer in Converſation.

Whereas Men, who are too diffident of their Characters, to wait for an honourable

Call into the Service of the Public, will find a grievous Obſtacle in the Liberties of their Country. They will no ſooner thruſt themſelves into the Cabinet of a Miniſter, than they will meditate Schemes for ſoaring above him. In order thereto, they will ſet ſoberly about the Overthrowing the Commonwealth; and that true Liberty may be the more effectually attacked, their Council will be, to connive at Licentiouſneſs, till the Outrages of it become unſufferable. Then it may be no Difficulty to bring perſonal Slander into the aggregate Sum of Offences, and, by ſubjecting that to new Penalties, the great End will be anſwered; for the moſt deſerved, and moſt important, perſonal Reproach will be ſomewhat retarded, by the ſlow Circulation of a Manuſcript.

And who are the Individuals, whoſe Peace and Security can demand this Protection? Conſidering the Importance of the Sacrifice, they ſhould be Men of the firſt Conſequence, diſtinguiſhed by their Rank, by the Services of their Anceſtors, by many conſpicuous Proofs of Patriotiſm in themſelves;

ſelves; unblemiſhed in their own Characters; in their whole Lives; in their Friendſhips and Alliances; always beloved; never once ſuſpected; ſollicited by the People, not obtruded upon them; and, in ſhort, Friends to Liberty by Education, by Temper, and by their Connections. But ſuch Men as theſe need no Protection; their own Minds will protect them againſt Slander, if the Laws ſhould not.

They muſt be Men of different Characters, that ſtand in Need of more Peace and Security than the Reſt of their Fellow-Subjects, and have the Preſumption to ſeek for Shelter, in a Breach of the Public Liberty. Men, of no real Conſequence in themſelves, neither diſtinguiſhed by the Services of their Anceſtors, nor by any extraordinary Merit of their own; labouring under general Suſpicions, and theſe founded in every Circumſtance, that can poſſibly create, and firmly ground, a Suſpicion; diſliked by Men of all Ranks, and of the higheſt Underſtanding; invidiouſly advanced to Power and Confidence, in Neglect of the moſt meritorious

rious Hands and Heads; and, in ſhort, Friends to the worſt Syſtem of Policy, as the beſt adapted to their own Emolument. Theſe are the Men, who may feel the Liberty of the Preſs, and, as they will conſider every Thing in the narrow View of their own Intereſt, may determine to overthrow that Liberty.

Hence the Public, and thoſe whom it concerns, will judge, whether the imaginary Peace and Security of ſuch Men be worth a Purchaſe at any Price? or, indeed, whether ſuch Men at all deſerve the Notice and Regard of the Public? Whether their Power, if they had any, would not rather deſerve to be conſidered as a Toleration, on the Part of the Public, than as an Eſtabliſhment? And, whether the Liberty of the Preſs ought to be in the leaſt affected by any Thing ſuch Men have ſuffered, or may ſuffer from it?

I am ſo ſanguine for the Honour of my Country, as to doubt of the Exiſtence of ſuch Men, in Places of Power and Truſt. It is impoſſible that the Friends to Liberty, who

who are ſtill very numerous, could act in Concert with them, or not oppoſe them, with all the Zeal and Circumſpection of loyal Patriots.

For Power cannot be innocent in ſuch Hands. Where any Motive prevails, diſtinct from the Good of thoſe, for whoſe Sake the Power is conferred, that Motive will direct the Power.

It will introduce Men of the worſt Characters, of the worſt Principles, of the loweſt Qualifications, into Offices, in which the moſt important Perquiſite to them, is the Power of doing Hurt.

And it will *exclude Men* of the *higheſt Probity*, and of the *beſt Underſtanding*, from every Branch of *Power*, becauſe *Power*, in their Hands, would be directed to public Utility; and ſo not only become uſeleſs to, but would involuntarily be levelled at, the Views and Deſigns of thoſe *Enemies* to the *Public*.

The Friends to Liberty would ſoon be ſenſible of this. They would look about them, and

and ring the ALARM-BELL, and put themſelves upon their beſt Guard, and watch every Motion of the DESPERATE ENEMY.

As a Spirit of Liberty is naturally reſtleſs and jealous, even tho' the Danger be not real, but magnified by the Arts of Faction and Sedition, we cannot ſuppoſe the Friends to Liberty to lie dormant, if Principles of Slavery were known to be creeping towards the Root of it, and ſo far advanced, as to wither the Leaves, and deprive the Branches of their radical Moiſture.

Theſe muſt be the Illuſions of well-meaning Men, who are dreaming for the Good of their Country; for as Men of oppoſite Principles and Deſigns cannot agree in the ſame End, we cannot conceive them to cooperate with Harmony. The Friends to Liberty cannot be themſelves paſſive Agents to their political Enemies; and of all the Inſtruments, by which the former may propoſe to carry on the Service of the Public, they cannot employ any ſo unfit, ſo fallacious, and ſo likely to fruſtrate their Intention, as

thoſe who are here diſtinguiſhed by their real Character of ENEMIES to LIBERTY.

But I will not alarm the well-affected Part of my Countrymen. It may, perhaps, be more *ſeaſonable* to congratulate them, that there are Friends to Liberty in high Offices; for we may reſt aſſured, that They at leaſt will do Juſtice to the Maſter whom they ſerve.

This, indeed, is not the only Security of the Public, for there are certain Marks, by which the Influence of bad, deſigning, Men may be diſcerned; and till thoſe Marks appear, there is no Pretence for Jealouſy.

When the public Affairs are carried on by the Advice of a private CABAL; when that *Cabal conſiſts* of *Men*, who are more *popular* among the DISAFFECTED, than the *Loyal Part* of the *People*; when the *Well-affected ſhrug their Shoulders*, and *whiſper* the Diſcontent, which Prudence, or Obligations, or Decency, reſtrain them from avowing; when Men of *known unſhaken Zeal for the Service of their King and Country are diſcountenanced*;

countenanced; when Party Diſtinctions are ſaid to be aboliſhed, whilſt the *worſt Principles*, of the moſt dangerous Party, are *inſidiouſly gaining Ground*, and the *Principles of Liberty*, in which the REVOLUTION was founded, decreaſe in their Value, by not being current; when *Men are advanced to high Stations* who *ſtand* in *Need of Vouchers* for ſo indiſpenſible, preſuppoſed a *Qualification* as their *Loyalty*; and, in ſhort, when Conſiderations of Decency, of Policy, and even of public Peace, are ſacrificed to the *narrow Views*, the Party Prejudices, and the *unpopular Support* of the *Cabal*; then a free People will make Uſe of their *Eyes to ſee*, of *their Tongues to ſpeak*, and of their *Hands to write*; then the LIBERTY of the PRESS will be exerciſed upon its *proper Objects*, for it will be *legally* and *honourably employed*, in the *Defence* of the CROWN, and of the *Liberty* of the *Subject*.

FINIS.